

City of Bellevue Development Services Department Land Use Staff Report

Proposal Name:

Kritsonis Short Plat

Proposal Address:

4047 140th Ave SE

Proposal Description:

Short plat to subdivide one (1) 17,343 SF existing single-family lot into two (2), single-family lots (8,867 & 8,476

SF). Existing house to be demolished.

File Number:

18-133363-LN

Applicant:

Gust Kritsonis

Decisions Included:

Process II

Preliminary Short Plat (LUC 20.35)

Planner:

David Wong, Land Use Planner

State Environmental Policy Act

Threshold Determination:

Exempt - WAC 197-11-800 6(d)

Department Decision:

Approval with Conditions

David Wong, Associate Land Use Planner

Development Services Department

Application Date:

December 26, 2018

Notice of Application Publication Date:

February 7, 2019

Decision Publication Date:

February 20, 2020

For information on how to appeal a proposal, visit Development Services Center at City Hall or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. Appeal of the Decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

CONTENTS

I.	Request & Review Process	1
II.	Site Context & Description	1
III.	Consistency with Land Use Code Requirements:	3
IV.	Public Notice and Comment	5
V.	Summary of Technical Reviews	. 5
VI.	State Environmental Policy Act (SEPA)	9
VII.	Changes to proposal as a result of City review	9
VIII.	Decision Criteria	9
IX.	Conclusion and Decision	11
Χ.	Conditions of Approval	12

Attachments

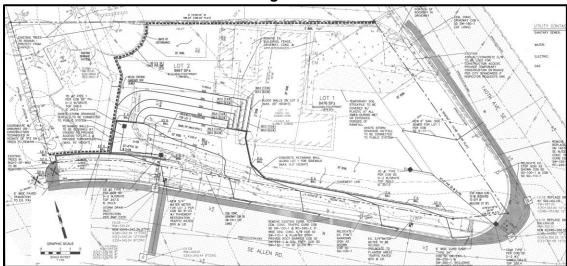
1. Preliminary Short Plat Plan

I. Request & Review Process

A. Request

The proposal is for a Preliminary Short Plat to subdivide one (1) existing 17,343 square-foot lot into two (2) single-family lots; each proposed to be 8,867 and 8,476 square feet in size. See Figure 1 for the proposed 2-lot configuration.

Figure 1



Proposals for subdivision of land into nine (9) lots or fewer are subject to the provisions in LUC 20.45B, short plats and subdivisions. The site does not contain any critical areas or their buffers, and therefore is subject to the general requirements in LUC 20.45B.050 for short plats. The short subdivision process is discussed in detail in Section III of this report.

II. Site Context & Description

A. Site Context

The site consists of one 17,343 square foot residentially-zoned corner lot with frontages along 140th Ave SE and SE Allen Rd. The site is currently developed with a single-family home with access to 140th Ave SE.

The property is relatively flat but contains a moderate slope and existing retaining wall along the southern boundary line used to match the grade at SE Allen Rd. The existing vegetation consists mainly of ornamental grasses and shrubs, but mature Douglas-fir (*Pseudotsuga menziesii*), big-leaf maple (*Acer macrocarpa*), and madrone (*Arbutus menziesii*) trees do exist along the southern and western property boundaries. **See Figure 2 below for the current site.**

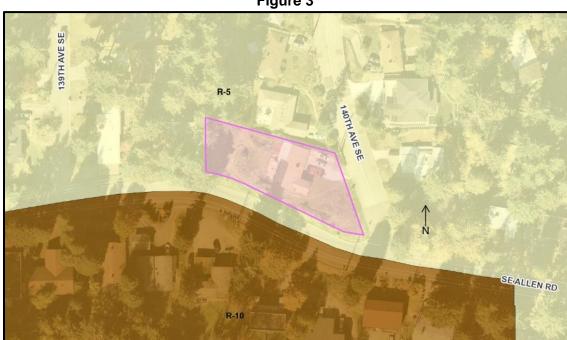




B. Zoning

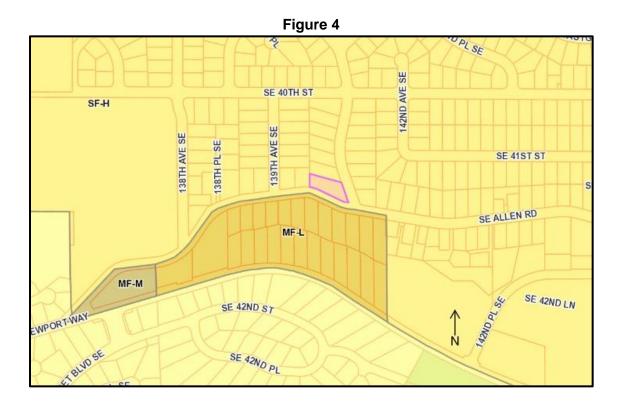
The property is zoned R-5 (Single-Family Residential) and is located in the Newcastle subarea of the Comprehensive Plan. **See Figure 3 below for vicinity zoning map.**

Figure 3



C. Land Use and Comprehensive Plan Context

The site is located at the northwest intersection of SE Allen Rd and 140th Ave SE. It is surrounded to the north, east, and west by single-family residential zoning and to the south by multifamily zoning. The Comprehensive Plan designation of the site and the areas to the north, east, and west are identified as SF-H (Single-Family High Density) with areas to the south identified as MF-L (Multifamily Low Density). **See Figure 3 for Comprehensive Plan context.**



III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements – LUC 20.20.010

The site is located in the R-5 zoning district. The following table describes the applicable dimensional standards for the land use zoning district.

Basic Information							
Zoning District	R-5						
Gross Lot Area	17,343 square feet (0.40 acres)						
Dimensional	Standard	Lot 1	Lot 2	Complies?			
Requirement	Statiuaru	LOUI	LOI Z	Compiles			
Front Yard	20			Can comply with standard			
Structure		20	20				
Setback (feet)							

Rear Yard Structure Setback (feet)	20	20	20	Can comply with standard
Side Yard Structure Setback (feet)	5	5	5	Can comply with standard
2 Side Yard Structure Setback	15	15	15	Can comply with standard
Minimum Lot Area (square feet)	7,200	8,476	8,867	Complies
Maximum Lot Coverage (percent)	35%	35%	35%	Can comply with standard
Maximum Impervious Surface (percent)	45/50	-	-	Can comply with standard
Minimum Greenspace (percent)	50	-	-	Can comply with standard
Width (feet)	70	134	104	Complies
Depth (feet)	80	83	83	Complies
Tree Retention	30% of 70"	-	-	Proposed retention of 100% or 70"

i. Tree Retention - LUC 20.20.900

Retention of significant trees as required by this section is necessary to maintain and protect property values, to enhance the visual appearance of the City, to preserve the natural wooded character of the Pacific Northwest, to promote utilization of natural systems, to reduce the impacts of development on the storm drainage system and water resources, and to provide a better transition between the various land uses permitted in the City.

For subdivisions, short subdivisions, and planned unit developments, the applicant shall retain a minimum of 30 percent of the diameter inches of significant trees existing on the total site area of the development; provided, that alder and cottonwood tree diameter inches shall be discounted by a factor of 0.5.

(Total Diameter Inches of Significant Trees)(0.30) = Inches Required to be Retained

The following calculation is the tree retention calculation for this property: (70)(0.30) = 21 Inches

The minimum number of diameter inches required to be retained per LUC 20.20.900 is 21 inches. The proposal to retain 70 inches over the entire site is in compliance with the tree retention requirements of LUC 20.20.900. Construction of a wall for Transportation Department purposes may reduce retention by one (1) 10" pacific madrone (*Arbutus menziesii*), however the intent is to retain all trees and to work with an arborist prior to construction permit submittal to determine feasibility of retention. Removal of this tree would lower the overall retention percentage to 85.7%, which would still exceed the minimum required by LUC 20.20.900. <u>See</u> Conditions of Approval for Tree Retention in Section X of this report.

IV. Public Notice and Comment

Application Date:

Public Notice (500 feet):

Minimum Comment Period:

December 26, 2018

February 7, 2019

February 21, 2019

The Notice of Application for this project was published in the City of Bellevue weekly permit bulletin on February 22, 2018. It was mailed to property owners within 500 feet of the project site. No comments have been received from the public as of the writing of this staff report.

V. Summary of Technical Reviews

Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development. <u>See conditions of approval regarding clearing and grading standards in Section X of this report.</u>

Utilities

Surface Water

No BMP's have been proposed on-site due to low infiltration rates as well as the inability to meet setback requirements. Flow control and water quality are not triggered for this project. The applicant has proposed direct connections into the existing stormwater system in SE Allen Road for stormwater mitigation.

Water

There is an existing 3/4" water meter that serves the current residence. The existing 3/4" water meter will serve proposed lot 1. A new 3/4" water meter will be installed for lot 2 by tapping the existing water main in SE Allen Road.

Sewer

There is an existing side sewer stub tapping the existing sewer main on the west portion of the property. The existing side sewer stub will be reused for new lot 2. A new side sewer stub will be installed by tapping the existing sewer main in 140th Ave SE.

Fire

The Fire Division of the Development Services Department has reviewed the proposed development for compliance with Fire codes and standards. The Fire staff found no issues with the proposed development.

Transportation

The Transportation Department has reviewed the plans submitted for the preliminary short plat and recommends approval. The final engineering plans must show all transportation-related improvements and must be consistent with the Transportation Development Code (BCC 14.60) and the Transportation Department Design Manual prior to approval of the plat infrastructure permit.

Prior to final short plat approval, the developer must complete all transportation improvements at the developer's expense (BCC 14.60.110); or provided that all the requirements of BCC 14.60.260 are met, the director may accept an acceptable financial assurance device equivalent to 150% of the cost of the unfinished improvements. Installation of improvements that would negatively affect safety if left unfinished may not be delayed through use of a financial assurance device.

Under BCC 22.16, payment of the transportation impact fee for each new home prior to building permit issuance will adequately mitigate off-site transportation impacts. The fee amount is subject to periodic revision by the City Council. Builders will pay the fee in effect at the time of building permit issuance. **See conditions of approval for Impact Fees in Section X of this report.**

A. Site Access

The proposed two lot short plat is comprised of an existing lot on the west corner of the intersection of 140th Avenue SE and SE Allen Road, which has one existing single-family home taking access from 140th Avenue SE via a single family. SE Allen Road is a two-lane road classified as a collector arterial, and 140th Avenue SE is a two-lane road classified as a local street. Access for the short plat will be new single-family driveway off of SE Allen Road and the existing single-family driveway on 140th Avenue SE. No other access connection to city right-of-way is authorized. Each single-family driveway must be a minimum of 10 feet wide and be built per the Transportation Design Manual Standard Drawings.

Street names and site addresses will be determined by the City's Parcel and Address Coordinator.

B. Street Frontage Improvements

The Kritsonis short plat is located on the northwest corner of the intersection of SE Allen Road and 140th Avenue SE. There is currently curb and gutter with no sidewalk along 140th Avenue SE and SE Allen Road. There is also an existing 20-foot-wide driveway on 140th Avenue SE. The lot is bordered by single family lots to the north and west.

Frontage improvements will be required, and shall include:

SE Allen Road:

- Install new 6-foot-wide sidewalk, 4.5-foot-wide planter, and new curb and gutter along the project frontage.
- Any portion of the sidewalk and supporting retaining wall outside of the Right-of-Way will require a public access and maintenance easement.
- Install an ADA compliant curb ramp where the sidewalk ends at 140th Avenue SE.
- Street lighting requirements must be met per City of Bellevue Standards.
- Install new single-family driveway approach per Bellevue Standards.
- Replace or relocate any existing street signs or channelization impacted by the project.
- Sight distance requirements must be met per BCC 14.60.240 at the new driveway.

140th Avenue SE

- Construct new curb and gutter along the project frontage.
- Dedicate Right-of-Way to the back of the future curb to accommodate widening of the street near the intersection of SE Allen Road.
- Replace the existing single-family driveway approach per Bellevue Standards.
- Sight distance requirements must be met per BCC 14.60.240 at the driveway.
- Any overhead utilities into the plat are required to be undergrounded.

The design of the improvements and the final engineering plans showing those improvements must conform to the requirements of the Americans with Disabilities Act, the Transportation Development Code (BCC 14.60), and the Transportation Department Design Manual prior to approval of the plat infrastructure (GE) permit. **See conditions** of approval for Street Frontage Improvements in Section X of this report.

C. Use of the Right of Way

Applicants often request use of the right of way and of pedestrian easements for materials storage, construction trailers, hauling routes, fencing, barricades, loading and unloading, and other temporary uses as well as for construction of utilities and street improvements. A Right of Way Use Permit for such activities must be acquired prior to issuance of any construction permit including demolition permit. **See conditions of approval for Use of the Right of Way in Section X of this report.**

D. Pavement Restoration

The City of Bellevue has established the Trench Restoration Program to provide

developers with guidance as to the extent of resurfacing required when a street has been damaged by trenching or other activities. Under the Trench Restoration Program, every public street in the City of Bellevue has been examined and placed in one of three categories based on the street's condition and the period of time since it was last resurfaced. These three categories are No Street Cuts Permitted, Overlay Required, and Standard Trench Restoration. Each category has different trench restoration requirements associated with it.

Near the development site, SE Allen Road is classified as "No Street Cuts Permitted". Permission to cut into SE Allen Road must be obtained through a variance on the right-of-way use permit. Should street cuts prove unavoidable or if the street surface is damaged in the construction process, a half-street or full-street (depending on the extent of street cuts or damage) grind and overlay will be required for a minimum of 50 feet.

Near the development site, 140th Avenue SE is classified as Standard Trench restoration per Standard Drawing RC-190-1. <u>See conditions of approval for Pavement Restoration in Section X of this report.</u>

E. Site Distance

The access design shall meet the sight distance requirements of BCC 14.60.240. Vegetation shall be trimmed as needed within the sight triangle. **See conditions of approval for Site Distance in Section X of this report.**

F. Transportation Impacts & Mitigation

City staff has analyzed the potential short-term operational impacts of this proposal in order to recommend mitigation if necessary. These impacts included traffic operations conditions during the a.m. and p.m. peak hours. Due to the minimal number of new p.m. peak hour trips to be generated by the Kritsonis Short Plat, traffic impacts from this development will be minor in nature. Therefore, no additional mitigation is required other than payment of the transportation impact fee and the project site improvements. **See conditions of approval for Transportation Impacts & Mitigation in Section X of this report.**

VI. State Environmental Policy Act (SEPA)

The proposal for short subdivision is categorically exempt from SEPA Environmental Review in accordance with the City of Bellevue Environmental Procedures Code, BCC 22.02B, and WAC 197-11-800.

VII. Decision Criteria

B. Preliminary Short Plat Decision Criteria – 20.45B.130

The Department Director may approve or approve with modifications if:

 The preliminary short plat makes appropriate provisions for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, streets, sidewalks, alleys, other public ways, water supplies, sanitary waste; and

Finding: As discussed in Section III and V, of this report, the proposal makes appropriate provisions for public health, safety, and general welfare.

2. The public interest is served by the short subdivision; and

Finding: The public is served by the short subdivision by providing additional housing stock to the area and allowing reasonable development opportunity to occur at a historically vacant parcel within residential zoning.

3. The preliminary short plat appropriately considers the physical characteristics of the proposed short subdivision site; and

Finding: The preliminary short plat appropriately considers the physical characteristics of the proposed short subdivision site by providing appropriate access locations for each lot and retaining more significant trees than required under LUC 20.20.900. **See conditions of approval in Section X of this report.**

4. The proposal complies with all applicable provisions of the Land Use Code, BCC Title 20, the Utility Codes, BCC Title 24, and the City of Bellevue Development Standards; and

Finding: As discussed in Section III and V of this report, the proposal complies with all applicable provisions of the Bellevue City Code.

5. The proposal is in accord with the Comprehensive Plan, BCC Title 21; and

Finding: The site is located in the Newcastle subarea. The Comprehensive Plan specifies Single-Family High Density (SF-H) development for this property, which is consistent with the R-5 Land Use designation. In addition, the proposal complies with applicable Comprehensive Plan Policies City-wide and for this subarea, included the following:

- **LU-5** Accommodate adopted growth targets of 17,000 additional housing units and 53,000 additional jobs for the 2006-2031 period and plan for the additional growth anticipated by 2035.
- LU-6 Encourage new residential development to achieve a substantial portion of the maximum density allowed on the net buildable acreage
- LU-11 Maintain stability and improve the vitality of residential neighborhoods through adherence to, and enforcement of, the city's codes.

- LU-29 Help communities to maintain their local, distinctive neighborhood character, while recognizing that some neighborhoods may evolve.
- **HO-3** Maintain character of established single-family neighborhoods, through adoption and enforcement of appropriate regulations.
- N-9 Preserve and develop distinctive neighborhood character within Bellevue's diverse neighborhoods.
- TR-146 Consider neighborhood traffic and livability conditions and address potential adverse impacts of public and private projects during the planning, designing, permitting, and construction phases.
- EN-3 Minimize, and where practicable, eliminate the release of substances into the air, water, and soil that may have harmful impacts on people, wildlife, and the environment.
- EN-26 Manage water runoff for new development and redevelopment to meet water quality objectives, consistent with state law.
- EN-71 Preserve a proportion of the significant trees throughout the city in order to sustain fish and wildlife habitat.
- **UD-6** Encourage the green and wooded character of existing neighborhoods.
- UD-57 Preserve vegetation, with special consideration given to the protection of groups of trees and associated undergrowth, specimen trees, and evergreen trees.
- S-NC-11 Promote infill development at a density consistent with the existing character of established neighborhoods.
- 6. Each lot in the proposal can reasonably be developed in conformance with current Land Use Code requirements without requiring a variance; however, requests for modifications to the requirements of Part 20.25H LUC, where allowed under the provisions of that part, may be considered together with an application for preliminary short plat so long as the resulting lots may each be developed without individually requiring a variance; and

Finding: As discussed in Section III of this report, each lot in the proposal can reasonably be developed with current Land Use Code requirements, without requiring a variance. **See conditions of approval Section X of this report.**

7. All necessary utilities, streets or access, drainage and improvements are planned to accommodate the potential use of the entire property.

Finding: As discussed in Section V of this report, all necessary utilities, streets or access, drainage, and improvements are planned to accommodate the potential use of the entire property. **See Section X for conditions of approval.**

VIII. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the proposal to subdivide the subject site into two single-family residential properties.

Note-Expiration of Approval: In accordance with LUC 20.45B.150 a preliminary short plat approval expires and is void if the applicant fails to file for approval of the final short plat within a year of the effective date of the preliminary short plat, unless an extension has been granted or a greater time frame has been provided.

IX. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

Applicable Ordinances	Contact Person			
Clearing and Grading Code- BCC 23.76	Janney Gwo, 425-452-6190			
Land Use Code- BCC 20.25H	David Wong, 425-452-4282			
Noise Control- BCC 9.18	David Wong, 425-452-4282			
Transportation Code	lan Nisbet, 422-452-4851			
Utilities Code	Mohamed Sambou, 425-452-4853			
Fire Code	Travis Ripley, 425-452-6042			

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

A. General Conditions

1. Variance Restriction

Approval by the City of this short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements in effect at the time of preliminary short plat approval without requiring a variance.

Authority: Land Use Code 20.45B.130.A.6

Reviewer: David Wong, Land Use

2. Preliminary Design, Utility Codes, and Engineering Standards

Utility Department approval of the design review application is based on the final conceptual design submitted with this application. Final utility design and construction approval is not given under this permit. Small changes to the site layout may be required to accommodate the utilities after utility engineering is approved. The water, sewer, and storm drainage systems shall be designed per the current City of Bellevue Utility Codes and Utility Engineering Standards. Side sewer permits (UA) will be required for the sewer connections. Water meter permits (UC) will be required for the new and upgraded meters.

Authority: Bellevue City Code 24.02, 24.04, 24.06

Reviewer: Mohamed Sambou, Utilities

B. Prior to Issuance of Any Plat Engineering/Clearing & Grading Permit:

3. Tree Retention and Protection

Tree retention shall be in accordance with the proposed tree retention specified under this plan. Applicant shall submit an arborist report authored by an ISA Certified Arborist containing recommendations for construction and protection methods for all trees under to be retained.

Authority: Land Use Code 20.20.900 Reviewer: David Wong, Land Use

4. Right of Way Use Permit

The applicant is required to apply for a Right of Way Use Permit before the issuance of any clearing and grading, building, foundation, or demolition permit. In some cases, more than one Right of Way Use Permit may be required, such as one for hauling and one for construction work within the right of way. A Right of Way Use Permit regulates activity within the city right of way, including but not limited to the following:

- a. Designated truck hauling routes.
- b. Truck loading and unloading activities.
- c. Hours of construction and hauling.
- d. Continuity of pedestrian facilities.
- e. Temporary traffic control and pedestrian detour routing for construction activities.
- f. Street sweeping and maintenance during excavation and construction.
- g. Location of construction fences.
- h. Parking for construction workers.
- i. Construction vehicles, equipment, and materials in the right of way.
- j. All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval a plan for providing pedestrian access during construction of this project. Access shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevents access. General materials storage and contractor convenience are not reasons for preventing access.

Authority: Bellevue City Code 14.30 Reviewer: Tim Stever, Transportation

5. Off-Street Parking

The applicant must secure sufficient off-street parking for construction workers, equipment, and materials storage before the issuance of a clearing and grading, building, foundation, or demolition permit.

Authority: Bellevue City Code 14.30 Reviewer: Tim Stever, Transportation

6. Frontage Improvements & Mitigation

A street lighting plan, channelization plan, and site (civil engineering) plan produced by a qualified engineer must be approved by the City prior to clear and grading permit approval. The design of all street frontage improvements must be in conformance with the requirements of the Americans with Disabilities Act, the Transportation Development Code, and the provisions of the Transportation Department Design Manual. The engineering plans must correctly show all transportation-related engineering details. Appropriate standard drawings from the Transportation Department Design Manual must be included in the engineering plans.

To provide safe pedestrian and vehicular access in the vicinity of the site the construction of street frontage improvements on 103rd Avenue SE and 104th Avenue SE is required as a condition of development approval. The design of the improvements must conform to the requirements of the Americans with Disabilities Act, the Transportation Development Code (BCC 14.60), and the provisions of the Transportation Department Design Manual.

SE Allen Road:

- Install new 6-foot-wide sidewalk, 4.5-foot-wide planter, and new curb and gutter along the project frontage.
- Any portion of the sidewalk and retaining wall outside of the Right-of-Way will require a public access and maintenance easement.
- Install an ADA compliant curb ramp where the sidewalk ends at 140th Avenue SE.
- Street lighting requirements must be met per City of Bellevue Standards.
- Install new single-family driveway approach per Bellevue Standards.
- Replace or relocate any existing street signs or channelization impacted by the project.
- Sight distance requirements must be met per BCC 14.60.240 at the new driveway.

140th Avenue SE:

- Construct new curb and gutter along the project frontage.
- Dedicate Right-of-Way to the back of the future curb to accommodate widening of the street near the intersection of SE Allen Road.
- Replace the existing single-family driveway approach per Bellevue Standards.
- Sight distance requirements must be met per BCC 14.60.240 at the driveway.
- Any overhead utilities into the plat are required to be undergrounded.

Miscellaneous:

- Landings on sloping approaches are not to exceed a 10% slope for a distance of 20 feet approaching the back edge of sidewalks. Driveway grades must be designed to prevent vehicles from bottoming out due to abrupt changes in grade.
- The maximum cross grade of a street at the street end shall be 8%.
- Vehicle and pedestrian sight distance must be provided per BCC 14.60.240 and 14.60.241.

Construction of all street and street frontage improvements must be completed prior to closing the clear and grade permit, closing the right of way use permit, or providing final plat for this project. A Design Justification Form must be provided to the Transportation Department for any aspect of any pedestrian route adjacent to or across any street that cannot feasibly be made to comply with ADA standards. Forms must be provided prior to approval of the clear and grade plans for any deviations from standards that are known in advance. Forms provided in advance may need to be updated prior to project completion. For any deviations from standards that are not known in advance, Forms must be provided prior to project completion.

Authority: Bellevue City Code 14.60; Transportation Department Design Manual,

Transportation Department Design, and Americans with Disabilities Act

Reviewer: Ian Nisbet, Transportation

7. Sight Distance

The proposed driveway access onto 140th Avenue SE and SE Allen Road shall meet the City of Bellevue's minimum sight distance requirements. If necessary, to meet the sight distance requirements of BCC 14.60.240 and standard drawing RL-100-1 and RL-120-1, existing vegetation near the access point on 140th Avenue SE or SE Allen Road must be trimmed. Ground vegetation within the sight triangle must be trimmed to no more than 2.5 feet above a line drawn from pavement level to pavement level. Trees within the sight triangle must be limbed up to a height of 7.5 feet above a line drawn from pavement level to pavement level. A description of any required vegetation trimming must be shown on a sheet of the clearing and grading plan set

Authority: Bellevue City Code 14.60.240 Reviewer: Ian Nisbet, Transportation

8. Pavement Restoration

The City's pavement manager has determined that this segment of SE Allen Road will require grind and overlay trench restoration, and 140th Avenue SE will require standard trench restoration for any utility connections or other digging in the street surface. Trench restoration must meet the requirements of Section 21 of the Design Manual and standard drawings RC-190-1 through RC-220-1. Exact copies of the appropriate trench restoration drawing(s) must be included in the final engineering plans.

Authority: Bellevue City Code 14.60.250 and Design Manual Design Standard # 23

Reviewer: Tim Stever, Transportation

C. Prior to Short Plat Final Approval:

9. Variance Restriction

Approval by the City of this short plat is a determination that each lot in the short plat can be reasonably developed in conformance with the Land Use Code requirements in effect at the time of preliminary short plat approval without requiring a variance. The following language shall be placed on the final short plat document:

VARIANCE RESTRICTION: APPROVAL BY THE CITY OF BELLEVUE OF THIS SHORT PLAT IS A DETERMINATION THAT EACH LOT IN THE SHORT PLAT CAN BE REASONABLY DEVELOPED IN CONFORMANCE WITH THE LAND USE CODE REQUIREMENTS IN EFFECT AT THE TIME OF PRELIMINARY SHORT PLAT APPROAL WITHOUT REQUIRING A VARIANCE.

Authority: Land Use Code 20.45B.130.A.6

Reviewer: David Wong, Land Use

10. Demolition of Existing Single-Family Residence

Demolition of the existing single-family residence is required to be complete prior to the approval of the final short plat to comply with dimensional requirements of the Land Use Code.

Authority: Land Use Code 20.20.010

Reviewer: David Wong, Development Services Department

11. Tree Retention/Final Short Plat

The City of Bellevue urges the applicant to save as many trees as possible. Tree retention shall be in accordance with the conceptual tree retention plan and include a minimum of 21 diameter inches. A Tree Preservation Plan that portrays the drip-line, the diameter size, and common name of each significant tree to be retained must be recorded with the *final short plat mylar* (recorded with King County). The following note is required on the Tree Preservation Plan:

DESIGNATION OF TREES ON THE TREE PRESERVATION PLAN ESTABLISHES A

COVENANT BY THE OWNER TO LEAVE UNDISTURBED ALL TREES AS SHOWN ON THE TREE PRESERVATION PLAN. THIS CONVENANT SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON ALL FUTURE OWNERS. NO TREE TOPPING, TREE CUTTING, OR TREE REMOVAL SHALL OCCUR UNLESS REQUIRED OR APROVED BY THE CITY. EXCEPT FOR ORDINARY LANDSCAPE MAINTENANCE, NO CONSTRUCTION, CLEARING, OR LAND ALTERATION ACTIVITIES SHALL OCCUR WITHIN THE DRIP-LINE OF TREES SHOWN ON THE TREE PRESERVATION PLAN, UNLESS REQUIRED OR APPROVED BY THE CITY. ACTIVITIES IN VIOLATION OF THIS COVENANT ARE SUBJECT TO PENALTY, INCLUDING WITHOUT LIMITATION, FINES AND MITIGATION REQUIREMENTS. THE CITY OF BELLEVUE SHALL HAVE THE RIGHT, BUT NOT THE OBILGATION. TO ENFORCE THE REQUIREMENTS, TERMS, AND CONDITIONS OF THIS COVENANT BY ANY METHOD AVAILABLE UNDER LAW. IT IS THE OBLIGATION OF THE OWNER TO COMPLY WTH THE TERMS OF THE TREE PRESERVATION PLAN AND THIS COVENANT.

Authority: Land Use Code 20.20.900.D Reviewer: David Wong, Land Use

12. Lot Lines

The final short plat shall label the property lines as front, rear, or side.

Authority: Land Use Code 20.20.030 Reviewer: David Wong, Land Use

13. Infrastructure Improvements

All street frontage and infrastructure improvements shown in the final engineering plans or required by city codes and standards must be completed prior to approval of the final short plat. If all the requirements of BCC 14.60.260 are met, the director may accept an acceptable financial assurance device equivalent to 150% of the cost of the unfinished improvements. Installation of improvements that would negatively affect safety if left unfinished may not be delayed through use of a financial assurance device. Improvements must be approved by the Transportation Department inspector before they are deemed complete.

Authority: Bellevue City Code 14.60.100, 110, 130, 150, 170, 190, 210, 240, 241,

260

Transportation Department Design Manual Sections 3, 4, 5, 7, 11, 14, 19

Reviewer: Ian Nisbet, Transportation

